

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                   |   |                           |
|-------------------|---|---------------------------|
| In Re Application | ) |                           |
| No. Unknown       | ) | For: METHOD AND APPARATUS |
|                   | ) | FOR SELECTING A SERVING   |
|                   | ) | SECTOR IN A DATA          |
| ATTAR et al.      | ) | COMMUNICATION SYSTEM      |
|                   | ) |                           |
| Examiner: Unknown | ) |                           |
|                   | ) |                           |
| Filed: herewith   | ) | Group No. Unknown         |

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR § 1.97**

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

Applicants through their attorney submit herewith, in accordance with 37 CFR §1.98, a list references of which they are aware, which they believe may be material to the examination of this application and with respect to which there may be a duty to disclose in accordance with 37 CFR § 1.56.

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**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))**

I hereby certify that this correspondence is, on the date shown below, being:

**MAILING**

- ☒ deposited with the United States Postal Service with sufficient postage as Express Mail, in an envelope addressed to  
Mail Stop Patent Application,  
Commissioner for Patents,  
P.O. Box 1450, Alexandria, VA 22313-1450.

Depositor's Name: Karyn D. Lao  
(type or print name)

Date: December 5, 2003

Signature: 

**FACSIMILE**

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Depositor's Name: \_\_\_\_\_  
(type or print name)

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Some of these references have been previously submitted in the co-pending U.S. application serial no. 09/892,378, filed June 26, 2001, entitled, "METHOD AND APPARATUS FOR SELECTING A SERVING SECTOR IN A DATA COMMUNICATION SYSTEM," and currently assigned to the assignee of the present application.

While the references identified herein may be material to the examination of this application pursuant to 37 CFR § 1.56, the citation of these references is not intended to constitute an admission that any reference referred to herein is prior art to the invention of this application unless specifically designated as such.


The filing of this document shall not be construed to mean that any search has been made or, that if made such search was complete or exhaustive, or that no other material information as defined in 37 CFR § 1.56 exists.

A list of the references cited herein is set forth on Form PTO-1449 which is enclosed herewith. In accordance with 37 CFR § 1.98(d) Applicants are not required to submit copies of the references and accordingly have not provided copies herewith. Applicants respectfully request that the Examiner return to Applicants the enclosed copy of the Form PTO-1449 indicating consideration of the references.

The subject application is believed patentable over any of the above-references.

Respectfully submitted,

Dated: 12/5/2003

By:   
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|   |                              |                            |
|---|------------------------------|----------------------------|
| FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE<br>(REV. 7-80) PATENT AND TRADEMARK OFFICE<br><br>INFORMATION DISCLOSURE<br>STATEMENT BY APPLICANT<br>(Use several sheets if necessary)<br><br>DATE MAILED: 12/5/2003 | ATTY. DOCKET NO.<br>010032C1 | APPLICATION NO.<br>Unknown |
|   | APPLICANT<br>ATTAR et al.    |                            |
|   | FILING DATE<br>herewith      | GROUP<br>Unknown           |

## U.S. PATENT DOCUMENTS

| EXAMINER<br>INITIAL | Ref<br>No | DOCUMENT NUMBER | DATE       | NAME                | CLASS | SUB<br>CLASS | FILING DATE<br>IF APPRO-<br>PRIATE |
|---------------------|-----------|-----------------|------------|---------------------|-------|--------------|------------------------------------|
|                     | A1        | 4,901,307       | 02/13/1990 | Gilhousen et al.    |       |              |                                    |
|                     | A2        | 5,103,459       | 04/07/1992 | Gilhousen et al.    |       |              |                                    |
|                     | A3        | 5,504,773       | 04/02/1996 | Padovani et al.     |       |              |                                    |
|                     | A4        | 5,267,261       | 11/30/1993 | Blakeney, II et al. |       |              |                                    |
|                     | A5        | 5,933,462       | 08/03/1999 | Viterbi et al.      |       |              |                                    |
|                     | A6        | 5,933,787       | 08/03/1999 | Gilhousen et al.    |       |              |                                    |
|                     | A7        | 6,205,129B1     | 03/20/2001 | Esteves et al.      |       |              |                                    |
|                     | A8        | 6,229,795       | 05/08/2001 | Pankaj et al.       |       |              |                                    |
|                     | A9        | 5,886,988       | 03/23/1999 | Yun et al.          |       |              |                                    |
|                     | A10       | 5,999,522       | 5,999,522  | Rohani              |       |              |                                    |
|                     | A11       | 6,504,828       | 1/7/2003   | Corbett             |       |              |                                    |
|                     | A12       | 5,428,818       | 6/27/1995  | Meidan et al.       |       |              |                                    |
|                     | A13       | 6,085,108       | 7/4/2000   | Knutsson et al.     |       |              |                                    |

## FOREIGN PATENT DOCUMENTS

| EXAMINER<br>INITIAL | Ref<br>No | DOCUMENT NUMBER | DATE      | COUNTRY | NAME     | CLASS | SUB<br>CLASS |
|---------------------|-----------|-----------------|-----------|---------|----------|-------|--------------|
|                     | B1        | 9923844         | 5/14/1999 | WO      | Qualcomm |       |              |
|                     | B2        |                 |           |         |          |       |              |
|                     | B3        |                 |           |         |          |       |              |

## OTHER PRIOR ART (Including Author, Title, Date, Pertinent Page, Etc.)

|   |    |   |
|---|----|---|
|   | C1 | Jalali, et al. "Data Throughput of CDMA-HDR a High Efficiency-High Data Rate Personal Communication Wireless System," IEEE Vehicular Technology Conference, 3(3): 1854-1858 (May 15, 2000). |
|   | C2 |   |
|   | C3 |   |
| EXAMINER  |    | DATE CONSIDERED   |
| *EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. |    |   |

|  |                                     |                                   |
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